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16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF CALIFORNIA**

18
19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 v.

22 JAMES PATRICK BREEDLOVE III,

23 Defendant.

24 Case No: 1:22-cr-00239 JLT/SKO

25 **STIPULATION BETWEEN THE UNITED
26 STATES AND DEFENDANT REGARDING
27 PRODUCTION OF PROTECTED
28 INFORMATION; PROTECTIVE ORDER RE:
SAME**

29 Ctrm: 8

30 Hon. Sheila K. Oberto

31
32 WHEREAS, the discovery in this case contains (1) private personal information regarding
33 minors and other third parties, including but not limited to their names, physical descriptions, social
34 media identifiers, telephone numbers and/or residential addresses, as well as (2) confidential information
35 regarding or otherwise contained within certain social media applications and websites (“Protected
36 Information”); and

37 WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the
38 unauthorized disclosure or dissemination of this information to anyone not a party to the court
39 proceedings in this matter;

1 The parties agree that entry of a stipulated protective order is therefore appropriate.

2 THEREFORE, defendant JAMES PATRICK BREEDLOVE III, by and through his counsel of
3 record, John F. Garland, Esq. (“Defense Counsel”), and the United States of America, by and through
4 Assistant United States Attorney Brian W. Enos, hereby agree and stipulate as follows:

5 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of
6 Criminal Procedure, as well as its general supervisory authority.

7 2. This Order pertains to all discovery provided to or made available to Defense Counsel as
8 part of discovery in this case (hereafter, collectively known as “the discovery”).

9 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any
10 documents or other information that contain Protected Information with anyone other than Defense
11 Counsel’s attorneys, designated defense investigators, designated defense experts, and support staff.
12 Defense Counsel may permit the defendant to view unredacted documents or other information in the
13 presence of his attorneys, defense investigators, and/or support staff. The parties agree that Defense
14 Counsel, defense investigators, and support staff shall not allow the defendant to copy Protected
15 Information contained in the discovery. The parties agree that Defense Counsel, defense investigators,
16 and support staff may provide the defendant with copies of documents or other information, if any, from
17 which Protected Information has first been redacted.

18 4. The discovery and information therein may be used only in connection with the litigation
19 of this case and for no other purpose. The discovery is now and will forever remain the property of the
20 United States of America (“Government”). Defense Counsel will return the discovery to the Government
21 or alternatively keep it archived within its sole possession at the conclusion of the case.

22 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
23 ensure that it is not disclosed to third persons in violation of this agreement.

24 6. Defense Counsel shall be responsible for advising the Defendant, employees, and other
25 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

26 7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to
27 return the discovery to the government, or, at the request of government counsel, to forward it to new

1 counsel after new counsel has confirmed to government counsel in writing his or her agreement to the
2 terms of this Order.

3 IT IS SO STIPULATED.

4 (As auth. 11/3/22)

5 Dated: November 3, 2022

By: /s/ John F. Garland
John F. Garland, Esq.
Attorney for Defendant
James Patrick Breedlove III

8 Dated: November 4, 2022

PHILLIP A. TALBERT
United States Attorney

10 By: /s/ Brian W. Enos
Brian W. Enos
Assistant U.S. Attorney

13 IT IS SO ORDERED.

14 Dated: November 7, 2022

15 /s/ Barbara A. McAuliffe

16 UNITED STATES MAGISTRATE JUDGE